

# REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF  
Embly; GPA 07-007; REZ 07-004; TPM 21062; AP 07-001; ER 07-08-003

March 23, 2008

**I. HABITAT LOSS PERMIT ORDINANCE** – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

The proposed project and any off-site improvements are located within the boundaries of the Multiple Species Conservation Program. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

**II. MSCP/BMO** - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☐

The proposed project and any off-site improvements related to the proposed project are within the boundaries of the Multiple Species Conservation Program. The project conforms with the Multiple Species Conservation Program and the Biological Mitigation Ordinance as discussed in the MSCP Findings dated June 20, 2008.

**III. GROUNDWATER ORDINANCE** - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES  
☐

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

The project will obtain its water supply from the city of Rincon del Diablo/Escondido Water District which obtains water from surface reservoirs and/or imported sources. The project will not use any groundwater for any purpose, including irrigation or domestic supply.

**IV. RESOURCE PROTECTION ORDINANCE** - Does the project comply with:

The wetland and wetland buffer regulations (Article IV, Sections 1 & 2) of the Resource Protection Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE/EXEMPT  
☒

The Floodways and Floodplain Fringe section (Article IV, Section 3) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Steep Slope section (Article IV, Section 5)?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Sensitive Habitat Lands section (Article IV, Section 6) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>
The Significant Prehistoric and Historic Sites section (Article IV, Section 7) of the Resource Protection Ordinance?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	NOT APPLICABLE/EXEMPT <input type="checkbox"/>

**Wetland and Wetland Buffers:** The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year.

**Floodways and Floodplain Fringe:** The project is not located near any floodway or floodplain fringe area as defined in the Resource Protection Ordinance (RPO), nor is it near a watercourse plotted on any official County floodway or floodplain map

**Steep Slopes:** Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. The project is in conformance with the RPO.

**Sensitive Habitats:** No sensitive habitat lands were identified on the site as determined on a site visit conducted by Christine Stevenson on April 23, 2007. Therefore, it has been found that the proposed project complies with Article IV, Item 6 of the Resource Protection Ordinance.

**Significant Prehistoric and Historic Sites:** Based on an analysis of County of San Diego archaeology resource files, archaeological records, maps, and aerial photographs by and a field survey by County of San Diego staff archaeologist, Gail Wright on September 6, 2007, it has been determined that the project site does not contain any archaeological resources.

**V. STORMWATER ORDINANCE (WPO)** - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES	NO	NOT APPLICABLE
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Storm Water Management Plan by HL Engineering dated December 28, 2007 and received January 3, 2008 is complete and in compliance with the Watershed Protection Ordinance (WPO).

**VI. NOISE ORDINANCE** – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES  
☒

NO  
☐

NOT APPLICABLE  
☐

The proposal would not expose people to nor generate potentially significant noise levels which exceed the allowable limits of the County of San Diego Noise Element of the General Plan, County of San Diego Noise Ordinance, and other applicable local, State, and Federal noise control regulations.

Transportation (traffic, railroad, aircraft) noise levels at the project site are not expected to exceed Community Noise Equivalent Level (CNEL)=60 decibels (dB) limit because review of the project indicates that the project is not in close proximity to a railroad and/or airport. Additionally, the County of San Diego GIS noise model does not indicate that the project would be subject to potential excessive noise levels from circulation element roads either now or at General Plan buildout.

Noise impacts to the proposed project from adjacent land uses are not expected to exceed the property line sound level limits of the County of San Diego Noise Ordinance.